



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of Industry and Security
Washington, D.C. 20230

MAR 19 2019

Mr. Sam Reynolds
DEPT MR 67548 411A Highland Ave.
Somerville, MA 02144

Via electronic mail: 68147-17582899@requests.muckrock.com

BIS Tracking Number: BIS 19-051
FOIAonline Tracking Number: DOC-BIS-2019-000530

Re: Freedom of Information Act Request (FOIA)

Dear Mr. Reynolds:

This is in response to your January 25, 2019, Freedom of Information Act (FOIA), 5 U.S.C. § 552, request to the Department of Commerce's Bureau of Industry and Security (BIS) for the following records: "Briefing notes, emails, or any other documents regarding AMD's Joint Ventures in China (Tianjin Haiguang Advanced Technology Investment Co. Ltd, Haiguang Microelectronics Co. Ltd, Chengdu Haiguang Integrated Circuit Design Co., Ltd (Hygon), China Academy of Sciences; Briefing notes, emails, or any other documents regarding AMD licensing its server CPU called EPYC to Chengdu Haiguang IC Design Co to create the Hygon Dhyana server CPU; Briefing notes, emails, or any other documents related to concerns US Govt. officials might have had about AMD breaching US export restrictions to China regarding AMD products being used to support China's nuclear weapons research (or any other prohibited activity); Secretary briefing notes about US-China trade war and national security implications regarding AMD's Joint Ventures in China and participation via its local partners in China's supercomputing programs."

BIS has reviewed your request and categorized the nature of your request to fall under the "all other requesters" provision of the Department's FOIA regulations. See 15 C.F.R. § 4.11(c)(1)(iv)(2012). As such, the Department's FOIA regulations require BIS to assess a monetary charge to you for the search and duplication (excluding the cost of the first two hours of search and 100 pages) of documents responsive to your request.

We have estimated that the cost of searching for documents responsive to your FOIA request is **\$5,220.00**. In addition, you will be charged \$0.16 per page for duplication of paper copies, as well as actual direct cost of reproductions for computer disk, printout, microfilm, microfiche, or microform, including operator time.

To begin processing your request, BIS will need to receive payment by **May 3, 2019**. Otherwise, your request will be automatically closed. Please make check or money order payable to the "Treasury of the United States" for the amount specified above and mail it to FOIA Liaison,



U.S. Department of Commerce, 14th & Constitution Ave., NW, Bureau of Industry and Security (BIS), HCHB Room 6521, Washington, DC 20230.

Please be advised that you will be charged a search fee in connection with your FOIA request, even if no responsive documents are located or if responsive documents are determined to be exempt from disclosure under any applicable FOIA exemptions.

If the estimated fee for your FOIA request exceeds the actual total fee by \$1 or more, BIS will refund the difference to you. If the actual total fee exceeds the estimated fee, BIS will inform you and require full payment before making any releasable documents available to you. You will be expected to pay any remaining balance within 30 days of the notice. If we do not receive payment, the balance owed will be forwarded for collection and interest will be assessed.

If you have any questions or concerns or would like to discuss any aspect of your request, you may contact the Bureau's FOIA Public Liaison:

Grace Agyekum
Bureau of Industry and Security
Office of Planning, Evaluation and Management
1401 Constitution Ave. NW, Room 6521
Washington, DC 20230
telephone at (202) 482-7893; email at grace.agyekum@bis.doc.gov

Please refer to your FOIA request tracking number when contacting us.

In addition, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
e-mail at ogis@nara.gov
telephone at 202-741-5770; toll free at 1-877-684-6448; facsimile at 202-741-5769

You have the right to appeal this fee of your FOIA request. An appeal must be received within 90 calendar days of the date of this response letter. Address your appeal to the following office:

Assistant General Counsel for Employment, Litigation and Information
U.S. Department of Commerce
Office of the General Counsel, Room 5896
1401 Constitution Ave., NW
Washington, D.C. 20230

An appeal may also be sent by e-mail to FOIAAppeals@doc.gov or by FOIAonline, if you have an account in FOIAonline, at <https://foiaonline.regulations.gov/foia/action/public/home#>. The appeal should include a copy of the original request and fee, if any. All appeals should include a statement of the reasons why the records requested should be made available and why the adverse determination was in error.

The appeal letter, the envelope, and the e-mail subject line should be clearly marked "Freedom of Information Act Appeal." The e-mail, FOIAonline, and office mail are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday). FOIA appeals posted to the e-mail box, FOIAonline, or the office after normal business hours will be deemed received on the next normal business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael R. Anderson", with a long horizontal flourish extending to the right.

Michael R. Anderson
Acting Chief Financial Officer and
Director of Administration